

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ADAPT PHARMA OPERATIONS
LIMITED, ADAPT PHARMA INC.,
ADAPT PHARMA LIMITED, and
OPIANT PHARMACEUTICALS, INC.,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.
and TEVA PHARMACEUTICAL
INDUSTRIES LTD.,

Defendants.

Civil Action No. 2:16-cv-07721 (BRM)(JAD)
(consolidated)

FINAL JUDGMENT

This patent infringement action came on for a trial before the Court. Plaintiffs asserted U.S. Patent Nos. 9,468,747 (the “’747 Patent”); 9,561,177 (the “’177 Patent”); 9,629,965 (the “’965 Patent”); 9,775,838 (the “’838 Patent), and 9,211,253 (the “’253 Patent”). Plaintiffs dropped the ’253 Patent from the case before trial.

The issues having been duly tried and a decision having been duly rendered in the form of an Opinion containing Findings of Fact and Conclusions of Law (ECF No. 341) and an Order (ECF No. 342), it is hereby ORDERED and ADJUDGED

- (1) that the asserted claims of the ’747 Patent (Claims 7 and 9) are declared to be invalid on the ground of obviousness, under 35 U.S.C. § 103;
- (2) that the asserted claim of the ’177 Patent (Claim 4) is declared to be invalid on the ground of obviousness, under 35 U.S.C. § 103;
- (3) that the asserted claims of the ’965 Patent (Claims 21, 24, and 25) are declared to be invalid on the ground of obviousness, under 35 U.S.C. § 103;

- (4) that the asserted claims of the '838 Patent (Claims 2, 24, 33, and 38) are declared to be invalid on the ground of obviousness, under 35 U.S.C. § 103;
- (5) that in view of the Court's ruling that all of the asserted claims of the '747 Patent, the '177 Patent, the '965 Patent, and the '838 Patent are invalid, judgment is granted in favor of defendants on each of the plaintiffs' claims of patent infringement with respect to those patents, and plaintiffs take nothing on those claims;
- (6) that this judgment resolves all causes of action asserted by plaintiffs in this matter, including plaintiffs' claim for infringement of '253 Patent;
- (7) that costs are awarded to the defendants and against the plaintiffs in accordance with 28 U.S.C. § 1920;
- (8) that this case is not exceptional for purposes of 35 U.S.C. § 285;
- (9) that any further relief requested by plaintiffs is denied; and
- (10) that any further relief requested by defendants is denied.

IT IS SO ORDERED.

SIGNED this 26th Day of June, 2020.



HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE